

The Office Action has argued over several pages that various features of imageable elements are described in Savariar-Hauck et al. While a number of features in Applicants' claimed invention are found in that reference, there is no description of an imageable element having a "second layer disposed on the first [layer] comprising a hydroxyl group-containing polymer that includes a heat-labile moiety represented by the formula [recited in Claim 1]". Despite the arguments in the Office Action beginning on page 6 about the "top or second layer", it fails to point to teaching in Savariar-Hauck concerning "heat-labile moieties" on hydroxyl-containing polymers in that second or upper layer. The mere teaching of conventional phenolic resins in Savariar-Hauck et al. is not descriptive of Applicants' top layer polymers that have both hydroxyl groups and the heat-labile moieties defined in Claim 1. Thus, the anticipation rejection over Savariar-Hauck is in error and should be withdrawn.

On page 8 of the Office Action, the Examiner argues that she has pointed out (page 3) where the cited reference describes the presence of a heat labile moiety present in combination with a hydroxy-containing polymer in the first layer of the disclosed element. This first layer is also considered the underlayer or bottom layer and has another layer (second layer or upper layer) disposed thereupon.

Assuming for argument's sake that the Examiner's discussion of polymers described in the cited reference is correct, what Applicants would respectfully point out again is that the described polymers are in the first or lower layer, not the second or upper layer as required in Applicants' claims. Applicants' second layer containing a hydroxy-containing polymer and heat-labile moiety is disposed on the first layer. The two layers are different.

Thus, Applicants' combination of polymer and heat-labile moiety is in a location different from that described in Savariar-Hauck et al. and the claimed invention cannot be anticipated by the cited reference.

In view of the foregoing amendments and remarks, it is believed that the present application is in condition for allowance. Early action to that end is earnestly solicited.

Respectfully submitted,



A handwritten signature in cursive script, appearing to read "J. Lanny Tucker", is written over a horizontal line.

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